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Date: 10 28 2004

Signature of Person Mailing Correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicant(s):

Peter D. Saunders

Docket No.:

60655.6400

Serial No.:

10/711,970

Group Art Unit:

TBA

Filed:

October 15, 2004

Examiner:

TBA

Title:

SYSTEM AND METHOD

Confirmation No.:

5969

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TRANSACTION

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner For Patents PO Box 1450 Alexandria, VA 22313-1450

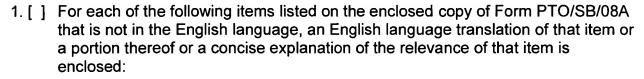
Commissioner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R., §§1.97 and 1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents listed on the attached Form PTO/SB/08A. Applicant respectfully submits that all pending claims are patentable over the foregoing references, alone or in combination. The Examiner is requested to initial the enclosed Form PTO/SB/08A and return a copy thereof to the undersigned.

The items listed on Form PTO/SB/08A may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

Serial No.: 10/711,970 Docket No.: 60655.6400

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants reserve the right to dispute any of the listed documents as prior art during examination. Further, Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. Furthermore, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.



- 2. [X] Any copy of the items listed on the enclosed copy of Form PTO/SB/08A that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior [X] Parent Application, [] Continuation, [] Divisional or [] Continuation-In-Part application under 37 C.F.R. §1.97, U.S. Serial No. <u>10/192,488</u>, filed <u>July 9, 2002</u>.
- 3. [X]No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
 - [X] 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
 - [] 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.
 - [] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.
- 4. [] No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 3 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 8 below.
- 5. [] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period

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Serial No.: 10/711,970 Docket No.: 60655.6400

specified in paragraph 3 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action): A check in the amount of \$180.00 is enclosed in payment of the fee. [] Charge the fee to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED. 6. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by: one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 8 below; and the attached petition requesting consideration of this Information b. Disclosure Statement; and the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in C. paragraph 9 below. 7. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with: a. [] 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue; b. [] 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue. C. The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 9 below. 8. [] I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

[] I hereby certify that no item of information in the Information Disclosure

Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making

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Serial No.: 10/711,970 Docket No.: 60655.6400

reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

- 9. [] A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(p).
 - [] Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
 - [X]The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

Snell & Wilme

Howard I Sobelman Registration No. 39,038

Dated: 10/7/04

Snell & Wilmer L.L.P. One Arizona Center 400 E. Van Buren

Phoenix, Arizona 85004-2202

Phone: (602) 382-6228 Fax: (602) 382-6070

Email: hsobelman@swlaw.com

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

of Sheet

Complete if Known					
Application Number	10/711,970				
Filing Date	October 15, 2004				
First Named Inventor	Peter D. Saunders, et al.	_			
Art Unit	TBA				
Examiner Name	TBA				
Attorney Docket Number	60655.6400				

				U.S. PAT	ENT DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number	Kind Code	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Examiner	Cite		Foreign Patent Do	cument	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant	
Initials*	No.1	Office ³	Number ⁴	Kind⁵ <i>(if known)</i>	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T ⁶
		СН	СН689070		0//31/1998	Peter Bresch		
		EP	0 358 525	A2	03/14/1990	W&T Avery Ltd.		
		EP	0 424 726	Al	10/10/1990	Angewandte Digital Elec		
		PCT	WO 99/03057	Al	01/21/1999	Robert E. Dorf		
		EP_	0 933 717	A2	08/04/1999	Citicorp Development Center		
		EP	0 956 818	Al	11/17/1999	Citicorp Development Center		
		EP	0 959 440	A2	11/24/1999	Citicorp Development Center		
		JP	2000-1109	Α	01/14/2000	Citicorp Development Center		
		JP	2000-015288	A	01/18/2000	Hitachi Plant Eng & Constr		
		JP	2000-40181	Α	02/08/2000	Unknown		

Examiner	Date
Signature	Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number,

	Substitu	te for form 1449A/P1	го		Complete if Known			
					Application Number	10/711,970		
	INF	DRMATION	A DIS	SCLOSURE	Filing Date	October 15, 2004		
	STA	TEMENT I	BY A	APPLICANT	First Named Inventor	Peter D. Saunders, et al.		
					Art Unit	TBA		
		(use as many sh	eets a	s necessary)	Examiner Name	TBA		
s	Sheet	2	of	8	Attorney Docket Number	60655.6400		

				U.S. PAT	ENT DOCUMENTS	-
Examiner	ner Cite Document Number		Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant Passages or Relevant	
Initials	No.1	Number	Kind Code	MM-DD-YYYY	Applicant of Cited Document	Figures Appear
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Examiner	Cite		Foreign Patent Do	cument	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant	
Initials	No.1	Office ³	Number ⁴	Kind ⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T ⁶
		PCT	WO 00/10144	Al	02/24/2000	3M Innovative Properties Co		
		JP	2000-67312	Α	03/03/2000	IBM		
		EP	0 984 404	A2	03/08/2000	IBM		
		PCT	WO 00/38088	Al	06/29/2000	John Klayh		
		EP	1 016 947	A2	07/05/2000	Texas Instruments Inc.		
		JP	2000-207641	Α	07/28/2000	NCR International Inc.		
		EP_	1 039 403	A2	09/27/2000	Citicorp Development Center		
		JP	2001-5931	Α	01/12/2001	Unknown		
		PCT	WO 01/04825	Al	01/18/2001	Intermec IP Corp.		
		PCT	WO 01/15098	A1	03/01/2001	Gamut Interactive		

Examiner	<u> </u>	Date	
Signature		Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. See Finds Codes of USPTO Patent Documents, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid QMB control number.

Substit	tute for form 1449A/PTC)		Complete if Known		
			201 001155	Application Number 10/711,970		
INF	ORMATION	DI	SCLOSURE	Filing Date	October 15, 2004	
ST	ATEMENT B	YA	APPLICANT	First Named Inventor	Peter D. Saunders, et al.	
				Art Unit	ТВА	
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Sheet	heet 3 of 🐉		Attorney Docket Number 60655.6400			

			-	U.S. PAT	ENT DOCUMENTS	
Examiner Initials	Cite No.1	Document Number	Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Initials*	No.1	Onice	Number	(if known)	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T ⁶
		EP	1 104 909	A2	06/06/2001	Smartel S.P.A.		
		PCT	WO 01/43095	A2	06/14/2001	Intermec IP Corp.		
		EP	1 113 387	A2	07/04/2001	Schlumberger Systemes		
		PCT	WO 01/72224	A1	10/04/2001	Wolf Fernlund		
		JP	2001-283122	A	10/12/2001	Dainippon Printing Co., Ltd.		
		PCT	WO 01/77856	A1	10/18/2001	Brightstreet.com, Inc.		
		PCT	WO 01/80473	A2	10/25/2001	Sony Electronics, Inc.		
		PCT	WO 01/86535	A1	11/15/2001	Cadmus Technology Ltd.		
		PCT	WO 01/90962	A1	11/29/2001	Grosvenor Leisure Inc.		
		PCT	WO 01/95243	A2	12/13/2001	Battelle Memorial Institute		

Examiner	 Date	
Signature	Considered	

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		e for form 1449A/P			Co	Complete if Known			
				201 001155	Application Number	10/711,970			
I	NFO	RMAHO	N DI	SCLOSURE	Filing Date	October 15, 2004			
9	STA'	TEMENT	BY A	APPLICANT	First Named Inventor	Peter D. Saunders, et al.			
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	(use as many sheets as necessary)				Examiner Name	TBA			
Sh	neet	4	of	8	Attorney Docket Number	60655.6400			

	U.S. PATENT DOCUMENTS							
Examiner		Document Number		Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant Passages or Relevant		
nitials*	No.1	Number	Kind Code (if known)	MM-DD-YYYY	Applicant of Cited Document	Figures Appear		
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Examiner Initials*	Cite No. ¹	Office ³	Number ⁴	Kind⁵ (if known)	Publication Date MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	Tβ				
		PCT	WO 02/01485	A1	01/03/2002	Smartclick Corporation						
		PCT	WO 02/13134	A2	02/14/2002	Medmicrochip LC						
		PCT	WO 02/21903	A1	03/21/2002	Mario Witte						
		EP	1 199 684	A2	04/24/2002	Marconi Commerce Systems						
		PCT	WO 02/063545	A2	08/15/2002	Sensormatic Electronics Corp						
		PCT	WO 02/065246	A2	08/22/2002	Stockback Holdings, Inc.						
		PCT	WO 02/065404	A2	08/22/2002	Stuart Williams						
		PCT	WO 02/069221	Al	09/06/2002	Frequency Marketing, Inc.		}				
		PCT	WO 02/073512	A1	09/19/2002	3M Innovative Properties Co.						
		EP	1 251 450	A1	10/23/2002	NCR International Inc.						

Examiner	Date	
Signature	 Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Senter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number,

Substitu	ute for form 1449A/PTC)		Complete if Known			
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INF	ORMATION	DIS	SCLOSURE	Filing Date	October 15, 2004		
STA	TEMENT B	YA	APPLICANT	First Named Inventor	Peter D. Saunders, et al.		
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Sheet 5		of	8	Attorney Docket Number	60655.6400		

		_	U.S. PAT	ENT DOCUMENTS	
Examiner Initials	Cite No.1	Document Number Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Initials	No.1	Office ³	Number ⁴	Kind ^s (if known)	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	Τ ⁶			
		PCT	WO 02/086665	A2	10/31/2002	United States Postal Service					
		PCT	WO 02/091281	A2	11/14/2002	Outsite Networks Inc.					
		PCT	WO 02/097575	A2	12/05/2002	American Express TRS Co.					
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Substitu	te for form 1449B/P	TO.		Complete if Known			
				Application Number	10/711,970		
INF	DRMATIO	N DI	SCLOSURE	Filing Date	October 15, 2004		
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Sheet	6	of	8	Attorney Docket Number	60655.6400		

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
		"What's New: Timex Watch Features Speedpass System", http://www.speedpass.com/news/article.jsp?id=51 (1 page)	
		"Physical Reality: A Second Look", Ken Sharp, Senior Technical Editor, http://www.idsystems.com/reader/1999_03/phys0399_pt2/phys0399_pt2.htm (6 pages)	
		"'Magic Wands' to Speed Mobile Sales", BobBrewin, Jan. 15, 2001, http://www.computerworld.com/mobiletopics/mobile/story/1,10801,563300.html (4 pages)	
		"Mobile Speedpass Goes Global as Mobil Singapore Rolls Out Asia's First RFID-Based Pay-At-The-Pump System", Press Release, April 5, 1999, http://www.ti.com/tiris/docs/news_releases/rel12.htm (3 pages)	
		"Speedpass Unleashed", June 4, 2002 http://www.cardweb.com/cardtrak/news/cf2_20a_97.html (2 pages)	
		Prophecy Central Update #9, October 10, 1997, http://www.bible-prophecy.com/pcu9.htm (5 pages)	
		International Newsletter of the TI RFID Group, Issue 20, 2000 (12 pages)	
		"CES: Microsoft's SPOT Technology has Humble Origins", by James Niccolai, January 10, 2003, http://archive.inforworld.com/articles/hn/xml/03/01/10/030110hnspot.xml?s=IDGNS (3 pages)	
		"Microsoft: See SPOT Run On Your Wrist", by Richard Shim, June 5, 2003, http://news.com.com/2100-1041_3-1013442.html?tag=fd_top (1 page)	
		"Networking: Microsoft SPOT", by Jeremy A. Kaplan, July 1, 2003, http://www.pcmag.com/print_article/0,3048,a=43561,00.asp (2 pages)	
		"Microsoft Launches Smart Personal Object Technology Initiative", Press Release from COMDEX Fall 2002, November 17, 2002, http://www.Microsoft.com/presspass/features/2002/nov02/11-17SPOT.asp (4 pages)	

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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number,

Substitu	ute for form 1449B/PTC)		Co	mplete if Known
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INF	ORMATION	1 DI	SCLOSURE	Filing Date	October 15, 2004
STA	TEMENT P	RY A	APPLICANT	First Named Inventor	Peter D. Saunders, et al.
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Sheet	7	of	8	Attorney Docket Number	60655.6400

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	(use as man	y sheet	s as necessary)	Examiner Name	ТВА		
Sheet	8	of	8	Attorney Docket Number	60655.6400		

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